

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN JORDAN,

Plaintiff,

No. CIV S-03-1820 LKK KJM P

vs.

CAL A. TERHUNE, et al.,

Defendants.

ORDER

On December 8, 2005, this court found service of plaintiff's complaint appropriate for some but not all of the defendants he named in his complaint. In that order, the court directed the Clerk to send plaintiff a summons and the appropriate number of USM 235 forms. On December 12, 2005, plaintiff filed a request for the issuance of summons. This request is moot in light of the court's December 8, 2005 order.

On December 23, 2005, plaintiff filed a motion for clarification of the court's December 8 order. As noted in several prior orders, this court is required by statute to screen complaints filed by prisoners; not all claims and not all defendants will be found to pass through the screening process. 28 U.S.C. § 1915A(a), (b)(1),(2). Plaintiff's request for clarification or correction is denied.

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1 On January 5, 2006, plaintiff filed a "personal affidavit/declaration," complaining  
2 about restrictions imposed by the law librarian of Calipatria State Prison. He claims this has  
3 been filed to explain why he did not meet earlier deadlines. The court will grant his December  
4 27, 2005 request for additional time nunc pro tunc and deem his December 23, 2005 and January  
5 5, 2006 filings to be timely.

6 Finally, in the order filed December 8, 2005, this court ordered plaintiff to  
7 complete and return to the court, within thirty days, the twenty-two USM-285 forms and twenty-  
8 three copies of his complaint required to effect service on the defendants. On January 5, 2006,  
9 plaintiff submitted the twenty-one USM-285 forms and one copy of the June 20, 2005 amended  
10 complaint.

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. The Clerk of the Court is directed to return the copy of the June 20, 2005  
13 amended complaint submitted by plaintiff on January 5, 2006.

14 2. The Clerk of the Court shall also send plaintiff one USM-285 form and  
15 instruction sheet.

16 3. Within thirty days, plaintiff shall submit to the court the one completed USM-  
17 285 form for defendant Fleischman and twenty-three copies of the June 20, 2005 amended  
18 complaint required to effect service. Failure to return the copies within the specified time period  
19 will result in a recommendation that this action be dismissed.

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1                   4. Plaintiff's December 27, 2005 request for an extension of time is granted nunc  
2 pro tunc.

3                   5. Plaintiff's December 23, 2005 request for clarification and correction is  
4 denied.

5 DATED: March 16, 2006.

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9 UNITED STATES MAGISTRATE JUDGE  
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